

Remarks

Upon entry of the foregoing amendment, claims 1, 4, 7-18, 25, and 28-38 are pending in the application, with 1, 25, and 28 being the independent claims. Claims 3 and 6 have been cancelled by the present amendments. Claims 2, 5, 19-24 and 26-27 were previously cancelled without prejudice to or disclaimer of the subject matter therein. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Interview Summary

Applicants express their appreciation to Examiners Garner and Suhol for the courtesy extended to Applicants' representatives, Edward J. Kessler and Matthew Ward, during the telephone interview conducted on April 15, 2010.

During the interview, Applicants' representatives explained the crux of the invention to the Examiners. The outlines of possible claim amendments were then discussed. Applicants' representatives agreed to submit a Supplemental Amendment on or before April 23, 2010, to incorporate specific amendments into the claims in light of the interview discussions. The specific amendments are reflected in the above amendments to the claims.

In overview, the purpose of these amendments is as follows:

- (i) To clarify claim language, particularly in relation to potential confusion associated with multiple uses of the term "prize value".
- (ii) To remove issues that may arise in relation to alternating between progressive and regressive modes.
- (iii) To bring method claims 25 and 28 in line with current PTO examination policies and guidelines.

In relation to (i), language relating to a “first prize value” and “second prize value” has been removed. Instead, the claims now deal with prize determination processes. More specifically, a new “current prize value” is defined for “a subsequent prize determination process”. This conveys the same intended meaning as previously, but in a clearer fashion.

Also in relation to (i), the terms “upper prize value” and “lower prize value” have been replaced with “upper limit value” and “lower limit value”, thereby to avoid potential confusion that may arise due to overuse of the term “prize value”. This amendment is not intended to change the meaning of terms; simply to make the language simpler to understand.

In relation to (ii), the Examiner highlighted some potential for confusion in relation to the language used to describe an alternating process, on the basis that it could be interpreted in a broader fashion than intended. The amended language more clearly defines an alternating process, assisted by use of “consecutive prize determination processes”.

In relation to (iii), the language of method claims 25 and 28 has been amended to tie these methods to machines responsible for the performance of those methods.

Rejections Under 35 U.S.C. §§112, 102(b) and 103(a)

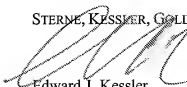
The arguments traversing the several grounds of rejection set forth in the Amendment & Reply Under 37 C.F.R. § 1.111 filed February 5, 2010, are equally applicable to the claims set forth above and are therefore incorporated herein by reference in their entirety as if set forth in full below.

Conclusion

Prompt and favorable consideration of this Amendment is respectfully requested. Applicants believe the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in dark ink, appearing to read 'E. J. Kessler', is written over the printed name.

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